

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

Ali Pineda,	:	
	:	
Plaintiff(s),	:	
	:	Case Number: 1:15cv693
vs.	:	
	:	Judge Susan J. Dlott
Hamilton County, et al.,	:	
	:	
Defendant(s).	:	

ORDER

This matter is before the Court pursuant to the Order of General Reference in the United States District Court for the Southern District of Ohio Western Division to United States Magistrate Judge Stephanie K. Bowman. Pursuant to such reference, the Magistrate Judge reviewed the pleadings and filed with this Court on May 3, 2018 a Report and Recommendation (Doc. 82). Subsequently, the defendants filed objections to such Report and Recommendation (Doc. 84 and plaintiff filed a reply to the objections (Doc. 85).

The Court has reviewed the comprehensive findings of the Magistrate Judge and considered de novo all of the filings in this matter. Upon consideration of the foregoing, the Court does determine that such Recommendation should be adopted.

Accordingly, plaintiff Ali Pineda's Motion for leave to Amend the Complaint and or to Vacate (Doc. 37) Order on Motion to Dismiss is GRANTED. The Court vacates the portion of the September 20, 2016 order that dismissed Count V of the Amended Complaint, the failure to investigate/ratification claim against the Hamilton County Sheriff's Department and Sheriff Neil.

The Court GRANTS plaintiff leave to file the proposed second amended complaint within 14 days of the any Order adopting the Report and Recommendation.

It is the responsibility of the plaintiff to file the amended complaint.

IT IS SO ORDERED.

s/Susan J. Dlott
Judge Susan J. Dlott
United States District Court